

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MERCEDES LIRIANO, et al.,

Plaintiffs,

-v-

NEW YORK CITY DEPARTMENT OF EDUCATION
and PATRICIA CATANIA, jointly and severally,

Defendants.

CIVIL ACTION NO.: 19 Civ. 11245 (LGS) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On March 11, 2021, the Court issued an order (the “Order” (ECF No. 114)) granting Defendant New York City Department of Education’s (“DOE”) Motion to Withdraw as counsel for Defendant Patricia Catania. (ECF No. 98). The Order was temporarily under seal when it was issued. (See ECF No. 114). On March 25, 2021, the Court denied without prejudice Defendant Catania’s letter-motion requesting permanent sealing of the Order and the parties’ submissions concerning the Order (“Submissions”). (ECF No. 122). The Court ruled that the “Order and the Submissions will remain under seal until Judge Schofield’s ruling concerning the anticipated objections to the Order, at which time the Court will revisit the sealing status of the Order and Submissions.” (Id.)

On April 14, 2021, Judge Schofield issued an Opinion & Order, which was temporarily under seal, finding that the Order was not clearly erroneous or contrary to law. (the “Opinion & Order” (ECF No. 127)). On July 16, 2021, Judge Schofield overruled Catania’s objections to the Order and granted Catania’s request to seal the Opinion & Order as well as related submissions (ECF Nos. 117, 123, 124, 127–29), such that only the DOE, Catania, and their counsel could access

these documents. (the “July 16 Order” (ECF No. 164)). In pertinent part, Judge Schofield found that

[f]iling the above-referenced documents under seal is in part necessary to prevent the unauthorized dissemination of communications subject to attorney-client privilege. As to the remainder of such documents, the facts and circumstances of Corporation Counsel’s withdrawal as counsel to [] Catania are not relevant to the prosecution of the case, and disclosure of such facts and circumstances would be prejudicial to [] Catania and the DOE.

(ECF No. 164 at 2).

For the same reasoning as set forth in the July 16 Order, the Order and the Submissions shall remain under seal and visible only to Catania, the DOE, and their counsel.

The Clerk of Court is respectfully directed to seal ECF Nos. 106–08, 114, and 116, which shall remain visible only to Catania, the DOE, and their counsel.

Dated: New York, New York
July 19, 2021

SO ORDERED


SARAH L. CAVE
United States Magistrate Judge